

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----x **MEMORANDUM AND ORDER**
ABDUL SHARIFF, 11-CV-6377 (FB) (SMG)

Plaintiff,

-against-

AHMAD M. ALSAYDI, ROCKAWAY
EXPRESS GROCERY CORP. and ADEL ABDO
SHAHBAIN,

Defendants.

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Appearances:

For the Plaintiff:

JAMES E. BAHAMONDE, ESQ.
LAW OFFICES OF JAMES E.
BAHAMONDE, P.C.
2501 Jody Court
North Bellmore, NY 11710

BLOCK, Senior District Judge:

On July 26, 2013, Magistrate Judge Gold issued a Report and Recommendation (“R&R”) recommending that the Court grant plaintiff’s motion for default judgment and find defendants Rockaway Express Grocery Corp. and Adel Abdo Shahbain (“defendants”) liable for violating Title III of the Americans with Disabilities Act, 42 U.S.C. § 12182 (“ADA”) and New York Civil Rights Law § 40-c. The R&R further recommends that the Court issue an injunction requiring defendants to prepare and implement architectural plans remedying various violations of ADA Accessibility Guidelines, and award plaintiff \$100 in statutory damages, \$7702.50 in attorneys’ fees, and \$535.24 in costs. Finally, the R&R recommends

dismissing the claims alleged against Ahmad M. Alsaydi due to plaintiff's lack of service and failure to prosecute. According to the docket, objections were to be filed by August 12, 2013. To date, no objections have been filed.

When no objections are filed, the Court reviews an R&R for clear error. *See Eisenberg v. New England Motor Freight, Inc.*, 564 F. Supp. 2d 224, 226 (S.D.N.Y. 2008) (district courts may adopt a report and recommendation "to which no [] objection is made, as long as the factual and legal bases supporting the findings and conclusions set forth . . . are not clearly erroneous or contrary to law."). The Court has reviewed the R&R and finds no error, clear or otherwise. The Court therefore adopts the R&R in its entirety and directs the Clerk to enter judgment accordingly.

SO ORDERED.

/S/ Frederic Block
FREDERIC BLOCK
Senior United States District Judge

Brooklyn, New York
August 14, 2013